

RESOLUTION NO. R-89- 767

RESOLUTION DENYING ZONING PETITION NO. 87-95
SPECIAL EXCEPTION PETITION OF WILLIAM F. AND MARIE B. BOYLE

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider petitions relating to zoning: and

WHEREAS, the notice and hearing requirements as provided for in Chapter 402.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 87-95 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 29, 1987; and

WHEREAS, the Board of County Commissioners, pursuant to the criteria set forth in the Zoning Code of Palm Beach County, Florida, Section 500.32, has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various county review agencies and the recommendations of the Planning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This proposal is not consistent with the requirements of the Comprehensive Plan and local land development regulations.
2. This proposed use is not in character and harmony with the development and uses in the area, including infrastructure and the provision of public services.
3. The proposed use is adverse to the public interest.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 87-95, the petition of WILLIAM F. AND MARIE B. BOYLE, by Kevin McGinley, Agent, for a SPECIAL EXCEPTION TO ALLOW AN ADULT CONGREGATE LIVING FACILITY on a parcel of land as follows:

LOT 1: Rustic Ranches

A parcel of land lying in the Northeast 1/4 of Section 13, Township 44 South, Range 40 East, being more particularly described as follows:

Beginning at the Northeast corner of said Section 13, thence

South 01 degrees 18' 22" West along the East line of said Section 13, a distance of 698.20 feet; thence South 89 degrees 56' 49" West a distance of 312.30 feet; thence North 01 degrees 18' 22" East parallel with the East line of said Section 13, a distance of 697.03 feet to the North line of said Section 13; thence North 89 degrees 43' 57" East, along said North line of a distance of 312.3 feet to the Point of Beginning, located on the Northwest corner of the intersection of Rustic Road and Rustic Ranch Trail, in an AR-Agricultural Residential Zoning District, was denied, with prejudice.

Commissioner Wilken moved for denial, with prejudice, of the petition. The motion was seconded by Commissioner Elmquist and upon being put to a vote, the vote was as follows:

Carol A. Roberts	--	Absent
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Absent
Dorothy Wilken	--	Aye
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 25th day of April, 1989 confirming action of October 29, 1987.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

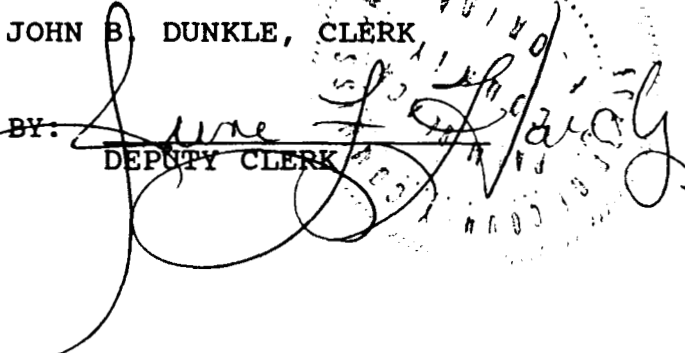
BY :


COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


DEPUTY CLERK